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COMMITTEE ON
RULES AND ADMINISTRATION
WASHINGTON, DC 20510-6325

May 5, 2022

U.S. Election Assistance Commission
Chair Thomas Hicks
Vice-Chair Christy McCormick
Commissioner Benjamin W. Hovland
Commissioner Donald L. Palmer
633 3rd Street NW, Suite 200
Washington, DC 20001

Dear Commissioners:

We write to request that you promptly issue guidance clarifying that election officials may use Help America Vote Act (HAVA) Section 101 grants for appropriate physical security services and social media threat monitoring.

On April 27, 2022, the Government Accountability Office (GAO) released a legal opinion concluding that the Election Assistance Commission (EAC) may allow states to use funds to protect election officials. Under HAVA, states may use grant funds for “[i]mproving the administration of elections for Federal office.” In its opinion, the GAO concluded that the use of funds for physical security services and social media threat monitoring reasonably falls within this grant of authority. It therefore held that it is within EAC’s “legitimate range of discretion” to allow states to use HAVA grant funds for these purposes.

We and the members of our Committee continue to hear from election officials about ongoing threats and the abusive conduct they are facing. With primary elections being administered across the country and approximately six months until the next general election, we urge you to promptly provide guidance so that election officials have the opportunity to use HAVA funds for physical security services and social media threat monitoring during this year’s elections.

Thank you for your attention to this important issue and for your efforts to ensure the safe and effective administration of our elections.

Sincerely,


Amy Klobuchar
Chairwoman


Roy Blunt
Ranking Member